

**CITY COUNCIL MEETING
OCTOBER 16, 2001**

Date & Time	On the 16th day of October, A.D., 2001, the City Council of the City of Fort Worth, Texas, met in regular session at 10:38 a.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
Attendance	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. With more than a quorum present, the following business was transacted:
Invocation	The invocation was given by Ms. Barbara Murph, Baha'i Faith of Fort Worth.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Council Member Lane, seconded by Council Member Haskin, the minutes of the regular meeting of October 9, 2001 were approved unanimously.
Special Presentations	<p>Council Member Haskin presented a Proclamation for Teen Read Week to Ms. Neva White, Manager of the Northside Branch Library and Chairman for 2001 Teen Read Week.</p> <p>Ms. Anne Moroneso, Chairwoman of the Fort Worth Sister Cities International Trier Committee, introduced Ms. Heike Niesen, Professional Intern Exchange from Trier, Germany. Ms. Niesen expressed sympathy and support from the City of Trier relative to the September 11, 2001 tragedy. She thanked her host family, Joe and Judy Dulle, and colleagues from Sister Cities for the opportunity to participate in the intern exchange. Mayor Barr thanked Mr. and Mrs. Dulle for hosting interns and stated that the City was proud of its relationship with Trier and Germany and expressed appreciation to the Mayor of Trier and to the German people for standing by America after the tragedy.</p> <p>Ms. Jane Salazar, Cowtown Brush-up Coordinator and representing the Fort Worth Housing Department, presented the Council with Cowtown Brush-up T-shirts and invited them to participate in the 11th Annual Cowtown Brush-up on October 20, 2001. Council Member Davis commended Ms. Salazar, Mr. Donald Cager, Housing Program Manager, and Mr. Jerome Walker, Director of the Housing Department, for their hard work putting this program together.</p>

Mayor Pro tempore McCloud presented a proclamation for Tae Kwan Do Week to Grandmaster Won Chik Park. Mr. Park thanked the Council for the proclamation and invited them to attend the competition October 20-21, 2001, 8:00 a.m. to 6:00 p.m. at the Fort Worth Convention Center.

Announcements

Council Member Haskin announced that Handley Street Festival last weekend was a success and thanked the Neighborhood Police Officers and Captain Larry Taylor from the Fire Department for their hard work.

Mayor Barr announced that the City had received applications to permit gas drilling and production within City limits. He stated that a Roundtable Discussion would be conducted October 22, 2001 at 7:00 p.m. in the Cactus Room of the Amon G. Carter, Jr. Exhibits Hall, Will Rogers Memorial Center, 3400 Burnett-Tandy Drive. He added that discussion would include representatives from the oil and gas industry, developers, the real estate industry, Texas Railroad Commission, and neighborhoods and invited everyone interested to attend.

**Withdrawn from
Consent Agenda**

City Manager Jackson requested that Mayor and Council Communication Nos. P-9475 and P-9477 be withdrawn from the consent agenda.

**Continued/
Withdrawn By
Staff**

City Manager Jackson requested that Mayor and Council Communication Nos. P-9475, P-9477, and OCS-1244 be continued for one week.

Consent Agenda

On motion of Council Member Silcox, seconded by Council Member Moss, the consent agenda, as amended, was adopted unanimously.

**OCS-1243
Claims**

There was presented Mayor and Council Communication No. OCS-1243 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance Department. It was the consensus of the City Council that the recommendation be adopted.

**OCS-1244
Continued for One
Week**

It was the consensus of the City Council that Mayor and Council Communication No. OCS-1244 resolution setting the regular zoning hearing for November 13, 2001, be continued for one week.

Benefit Hearing

It appeared that the City Council established today as the date for the benefit hearing for adoption of the Appropriation Ordinance for Fort Worth Public Improvement District No. 1 and levying of assessments for Fiscal Year 2001-2002. Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Linda Brown, representing the Finance Department, appeared before the Council, gave a staff report, and called attention to Mayor and Council Communication No. BH-198, as follows:

**BH-198
Ord. #14814
Ord. #14815
PID No. 1-
Downtown**

There was presented Mayor and Council Communication No. BH-198 from the City Manager recommending that the City Council:

1. Hold a benefit hearing on October 16, 2001 concerning the proposed property assessments for Fiscal Year 2001-2002; and
2. Close the benefit hearing; and
3. Adopt Ordinance No. 14814 closing the hearing and levying assessments for the cost of certain improvements and/or services provided in Fort Worth Public Improvement District (PID) No. 1 during Fiscal Year 2001-2002; fixing charges and liens against property in the district and against the owners thereof; providing for the collection of such assessments; reserving unto the City Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted; and
4. Adopt Appropriation Ordinance No. 14815 increasing the estimated receipts and appropriations in the Special Assessment District Fund in the amount of \$686,664.00 from available funds for the purpose of providing Fiscal Year 2001-2002 funding for Improvement District No. 1.

There being no one else present desiring to be heard in connection with BH-198 for the Fort Worth Public Improvement District No. 1 (Downtown) and levying assessments for Fiscal Year 2001-2002, Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

Benefit Hearing

It appeared that the City Council established today as the date for the benefit hearing for adoption of the Appropriation Ordinance for Fort Worth Public Improvement District No. 6 and levying of assessments for Fiscal Year 2001-2002. Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Linda Brown, representing the Finance Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. BH-199, as follows:

**BH-199
Ord. #14816
Ord. #14817
PID No. 6- Park
Glen Residential
Area**

There was presented Mayor and Council Communication No. BH-199 from the City Manager recommending that the City Council:

1. Hold a benefit hearing on October 16, 2001 concerning the proposed property assessments for Fiscal Year 2001-2002; and
2. Close the benefit hearing; and
3. Adopt Ordinance No. 14816 closing the hearing and levying assessments for the cost of certain improvements and/or services provided in Fort Worth Public Improvement District (PID) No. 6 during Fiscal Year 2001-2002; setting charges and liens against property in the district and against the owners thereof; providing for the collection of such assessments; reserving unto the City Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted; and
4. Adopt Appropriation Ordinance No. 14817 increasing the estimated receipts and appropriations in the Special Assessment District Fund in the amount of \$1,090,298.00 from available funds for the purpose of providing Fiscal Year 2001-2002 funding for Improvement District No. 6.

Steve Kosek

Mr. Steve Kosek, 8000 Truxton Court, appeared before Council in favor of PID No. 6. He stated that continuation of the PID was essential to the development of the Park Glen area and thanked the Council for their support.

Andrew Boston

Mr. Andrew Boston, 7754 Sunnydale Court, appeared before Council in opposition of PID No. 6. He expressed concerns relative to his subdivision being assessed fees, but not receiving

any benefit. He added that although his subdivision did not have a homeowners association, there should be equitable distribution of funds for improvements throughout the area.

Riley Cantrell

Mr. Riley Cantrell, 2300 Sundrop Court, appeared before Council and stated that if his home were located within a PID and his subdivision did not benefit from the assessment, he would strongly oppose being part of the PID.

Mayor Barr asked City Manager Jackson to have staff get involved with this issue to ensure funds were equally distributed and added that the PIDs made the City very special.

There being no one else present desiring to be heard in connection with BH-199 for the Fort Worth Public Improvement District No. 6 (Park Glen Residential Area) and levying assessments for Fiscal Year 2001-2002, Council Member Haskin made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted with appreciation to Steve Kosek and Joe Yates. The motion carried unanimously.

Benefit Hearing

It appeared that the City Council established today as the date for the benefit hearing for adoption of the Appropriation Ordinance for Fort Worth Public Improvement District No. 7 and levying of assessments for Fiscal Year 2001-2002. Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Linda Brown, representing the Finance Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. BH-200, as follows:

BH-200
Ord. #14818
Ord. #14819
PID No. 7- Heritage
Area

There was presented Mayor and Council Communication No. BH-200 from the City Manager recommending that the City Council:

1. Hold a benefit hearing on October 16, 2001 concerning the proposed property assessments for Fiscal Year 2001-2002; and
2. Close the benefit hearing; and
3. Adopt Ordinance No. 14818 closing the hearing and levying assessments for the cost of certain improvements and/or services provided in Fort Worth Public Improvement District (PID) No. 7 during Fiscal Year 2001-

2002; setting charges and liens against property in the district and against the owners thereof; providing for the collection of such assessments; reserving unto the City Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted; and

4. Adopt Appropriation Ordinance No. 14819 increasing the estimated receipts and appropriations in the Special Assessment District Fund in the amount of \$24,978.00 from available funds for the purpose of providing Fiscal Year 2001-2002 funding for Improvement District No. 7.

Riley Cantrell

Mr. Riley Cantrell, 2300 Sundrop Court, appeared before Council and stated he was confused because PID No. 7 did not include payments of homeowner association fees.

There being no one else present desiring to be heard in connection with BH-200 for the Fort Worth Public Improvement District No. 7 (Heritage Area) and levying assessments for Fiscal Year 2001-2002, Council Member Haskin made a motion, seconded by Council Member Davis, that the recommendation be adopted with appreciation to the Hillwood Development Corporation. The motion carried unanimously.

Benefit Hearing

It appeared that the City Council established today as the date for the benefit hearing for adoption of the Appropriation Ordinance for Fort Worth Public Improvement District No. 8 and levying of assessments for Fiscal Year 2001-2002. Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Linda Brown, representing the Finance Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. BH-201, as follows:

**BH-201
Ord. #14820
Ord. #14821
PID No. 8- Camp
Bowie**

There was presented Mayor and Council Communication No. BH-201 from the City Manager recommending that the City Council:

1. Hold a benefit hearing on October 16, 2001 concerning the proposed property assessments for Fiscal Year 2001-2002; and
2. Close the benefit hearing; and

- 3. Adopt Ordinance No. 14820 closing the hearing and levying assessments for the cost of certain improvements and/or services provided in Fort Worth Public Improvement District (PID) No. 8 during Fiscal Year 2001-2002; setting charges and liens against property in the district and against the owners thereof; providing for the collection of such assessments; reserving unto the City Council the right to allow credits reducing the amount of the respective assessment to the extent of any credit granted; and**
- 4. Adopt Appropriation Ordinance No. 14821 increasing the estimated receipts and appropriations in the Special Assessment District Fund in the amount of \$229,000.00 from available funds for the purpose of providing Fiscal Year 2001-2002 funding for Improvement District No. 8.**

Council Member Picht requested a brief explanation of what the PIDs did.

City Attorney Yett stated that the basic purpose of the PIDs were used to fund services over and above the standard services provided by the City in the defined area. The additional services were funded through special assessments on property owners within the district and not on other taxpayers in the City.

Gerald Perry

Mr. Gerald Perry, 801 Cherry Street, Suite 2000, representing Mr. John Henry Dean III, 5308 Birchman, appeared before Council in opposition of PID No. 8. He stated that Mr. Dean would not benefit from the assessment since he would not have direct access to Camp Bowie and that the PID ended at Prevost, east of his property. He requested Council abate the proposed assessment to Mr. Dean.

There being no one else present desiring to be heard in connection with BH-201 for the Fort Worth Public Improvement District No. 8 (Camp Bowie) and levying assessments for Fiscal Year 2001-2002, Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin, Moss,
Wentworth, and Davis

NOES: Council Member Picht

ABSENT: None

**G-13404
Reallocation of
CDBG and HOME
Funds for Worth
Heights Model
Blocks**

There was presented Mayor and Council Communication No. G-13404 from the City Manager recommending that the City Council:

- 1. Reallocate \$729,111.00 in FY2001 Home Investment Partnerships Program (HOME) funds, and \$470,889.00 in Year XXVII Community Development Block Grant (CDBG) funds for a total of \$1,200,000.00 to the Worth Heights Model Blocks (WHMB) Program as follows:**
 - a) Reallocate \$603,000.00 in FY2001 HOME funds to the Worth Heights Neighborhood Association (WHNA) Home Improvement Program; and**
 - b) Reallocate \$112,286.00 in FY2001 HOME funds to the WHNA Housing Development Program; and**
 - c) Reallocate \$13,825.00 in FY2001 HOME funds to the WHNA Program Operating Support; and**
 - d) Reallocate \$61,175.00 in Year XXVII CDBG funds to the WHNA Program Operating Support; and**
 - e) Reallocate \$332,714.00 in Year XXVII CDBG funds to the WHNA Sidewalk Installation and Repair Program; and**
 - f) Reallocate \$2,000.00 in Year XXVII CDBG funds to the WHNA Street Sign Topper Program; and**
 - g) Reallocate \$50,000.00 in Year XXVII CDBG funds to the WHNA Small Business Revolving Loan Fund Program; and**
 - h) Reallocate \$20,000.00 in Year XXVII CDBG funds to the WHNA Neighborhood Landscaping Program; and**

- i) **Reallocate \$5,000.00 in Year XXVII CDBG funds to the WHNA Library English Second Language Program.**
- 2. Authorize the City Manager to execute a contract in the amount of \$257,286.00 with the WHNA upon attainment of their 501(c)(3) status to administer Program Operating Support (\$75,000.00), the Neighborhood Landscaping Program (\$20,000.00), the Housing Development Program (\$112,286.00) and the Small Business Revolving Loan Fund Program (\$50,000.00); and**
- 3. Authorize amendment of the contract, if necessary, to achieve project goals provided that the amendment is compatible with the neighborhood revitalization strategy and in compliance with applicable laws and regulations; and**
- 4. Authorize extension of the contract with the WHNA for one year if they request an extension; and**
- 5. Authorize amendment of the City's CDBG Year XXVII Consolidated Plan to reflect the above funding allocations.**

It was the consensus of the City Council that the recommendation be adopted.

**G-13405
Res.#2785
Employment of
Kelly, Hart and
Hallman as
Outside Legal
Counsel**

There was presented Mayor and Council Communication No. G-13405 from the City Manager recommending that the City Council:

- 1. Retain Kelly, Hart and Hallman as outside counsel to assist the City Attorney in addressing issues relating to employee benefits, pursuant to Chapter VI, Section 3 of the City Charter; and**
- 2. Adopt Resolution No. 2785 establishing the compensation payable to Kelly, Hart and Hallman at \$195.00 per hour and providing that the amount payable to Kelly, Hart and Hallman shall not exceed a total sum of \$10,000.00 without further City Council approval; and**

- 3. Authorize the City Manager or his designee to execute a Professional Services Contract with Kelly, Hart and Hallman for a sum not to exceed \$10,000.00.**

It was the consensus of the City Council that the recommendation be adopted.

**G-13406
Waive Zoning
Application Fee
from Downtown
Fort Worth, Inc.,
1300-1600 Jones
St., Daggett
Addition**

There was presented Mayor and Council Communication No. G-13406 from the City Manager recommending that the City Council consider the waiver of the \$1,000.00 application fee to apply for a zoning change to 1300-1600 Jones Street, Daggett Addition, Blocks F1, F2, F3, F4, L1, Lots 1A, 2A, 3A and 4A, from Downtown Fort Worth, Inc.

Council Member Silcox inquired why a waiver was being requested on this property.

Mr. Bob Riley, representing the Development Department, stated that this related to the rezoning of the public market and was deemed allowable because it would benefit the economic development in the City.

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

Public Hearing

It appeared that the City Council set today as the date for a public hearing to establish PID No. 10, (Expanded Downtown Area), adopt a resolution establishing the district, adopt a budget and service plan, adopt a proposed assessment roll, set a benefit hearing date for Fiscal Year 2001-2002, adopt an ordinance appropriating certain funds for the district, and authorize the City Manager to enter into a contract for management services in the district. Mayor Barr asked if there was anyone desiring to be heard.

Linda Brown, Deputy City Treasurer, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-13407, as follows:

**G-13407
Res. #2786
Ord. #14822
PID No. 10-
Expanded
Downtown Area**

There was presented Mayor and Council Communication No. G-13407 from the City Manager recommending that the City Council:

1. Hold a public hearing concerning the following matters:

- **The advisability of establishing the proposed district; and**
- **The general nature of the proposed improvements and/or services; and**
- **The estimated cost of improvements and/or services; and**
- **The proposed boundaries of the district; and**
- **The proposed method of assessment; and**
- **The proposed apportionment of costs between the improvement district and the City as a whole; and**

2. Adjourn such public hearing; and

3. Adopt Resolution No. 2786, which:

- a) Establishes a public improvement district under the Public Improvement District Assessment Act (the Act) (V.T.C.A., Local Government Code, Section 372.001 et seq.) to be known as the Fort Worth Improvement District No. 10; and**
- b) Authorizes the City to exercise the powers granted by the Act in connection with the establishment of a public improvement district; and**
- c) Make certain findings concerning the nature and advisability of the improvements and/or services to be provided by the district, the estimated costs, the boundaries of the district, the method of assessment, and the apportionment of costs between the district and the City as a whole; and**
- d) Adopt the budget and service plan for Fiscal Year 2001-2002, which was presented by representatives of signers of the petition for creation of the district; and**

- e) Authorizes the transfer of \$1,020.00 for City-owned property from the General Fund to the Special Assessment District Fund, PID No. 10, Fiscal Year 2001-2002 operating budget; and
 - f) Adopt Appropriation Ordinance No. 14822 increasing the estimated receipts and appropriations in the Special Assessment District Fund in the amount of \$1,020.00 from available funds for the purpose of providing Fiscal Year 2001-2002 funding for Fort Worth Public Improvement District No. 10; and
 - g) Authorizes the transfer of \$2,500.00 for administrative fees from the Special Assessment District Fund, PID No. 10, Fiscal Year 2001-2002 project account to the General Fund; and
- 4. Adopt the proposed assessment roll on file in the Office of the City Secretary; and
 - 5. Set Tuesday, October 30, 2001, at 10:00 a.m. in the City Council Chamber as the time and place of the benefit hearing; and
 - 6. Direct the City Secretary to give notice of the October 30th meeting in accordance with state law; and
 - 7. Direct the City Secretary to publish notice of the establishment of the district as required by the Act; and
 - 8. Authorize the City Manager to execute a contract with Downtown Fort Worth, Inc. to provide management services to the district for Fiscal Year 2001-2002 in the amount of \$34,388.00.

Council Member Picht inquired if urban design standards would apply to this area.

Mr. Riley stated that it would cover the entire area of PIDs 1 and 2, plus additional areas outside their bounds, particularly on the west side all the way to Summit and on the south side beyond Lancaster to the new I-30 alignment.

There being no one else present desiring to be heard in connection with the establishment of PID No. 10 (Expanded Downtown Area), Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

**G-13408
Condemnation of
Property for Evans
and Rosedale
Business and
Cultural District**

There was presented Mayor and Council Communication No. G-13408 from the City Manager recommending that the City Council declare the necessity of taking an interest in the property located at 1009 South Freeway, described as NPT Lot 26, Block 3, Evans South Addition, Tarrant County, Texas, owned by Major Eldridge Beard; and authorize the City Attorney to institute condemnation proceedings to acquire the interest in the property. Mayor Pro tempore McCloud made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**G-13409
Ord. #14823
Accept Monetary
Gifts Botanic
Garden Operations**

There was presented Mayor and Council Communication No. G-13409 from the City Manager recommending that the City Council:

1. Authorize the City Manager to accept a monetary gift of \$73,142.32 from the Fort Worth Botanical Society, Inc. for the purpose of funding for a period of one year, the salary and benefits of a gardener and a senior maintenance worker position at the Botanic Garden; and
2. Authorize the City Manager to accept a monetary gift of \$144,450.30 from the Fort Worth Garden Club, Inc. for the purpose of funding for a period of one year, the salaries and benefits of a center coordinator, an administrative technician, an audio-visual specialist, and a senior maintenance worker position at the Botanic Garden; and
3. Adopt Appropriation Ordinance No. 14823 increasing the estimated receipts and appropriations in the Special Trust Fund in the amount of \$217,592.62 from available funds for the purpose of funding salaries and benefits for a gardener, a center coordinator, an administrative technician, an audio-visual specialist, and two senior maintenance workers at the Botanic Garden.

Jim McCarty

Mr. Jim McCarty, 3740 Kelvin, representing the Fort Worth Botanical Society, appeared before Council and expressed appreciation for the Council's support of the Botanic Gardens.

Council Member Haskin made a motion, seconded by Council Member Wentworth, that the recommendation be adopted with appreciation. The motion carried unanimously

**G-13410
Accept Sculpture
and Fountain for
Hyde Park**

There was presented Mayor and Council Communication No. G-13410 from the City Manager recommending that the City Council authorize the acceptance of the proposed donation of the Fort Worth Sleeping Panther sculpture and fountain and other improvements to Hyde Park from Dr. George Cravens and waive all permit and associated City fees for the installation of the improvements.

Council Member Davis recognized Dr. Cravens and stated that this was an incredible gift to the City and asked that he address the Council. He responded to Ms. Davis' request and provided an explanation regarding the background and creation of the sculpture.

Mayor Barr expressed the City's appreciation regarding Dr. Cravens' renovation of the Flatiron Building, which was an investment in the City.

Council Member Silcox made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**P-9474
Wood Shavings**

There was presented Mayor and Council Communication No. P-9474 from the City Manager recommending that the City Council authorize a purchase agreement for wood shavings with Elliot's Agri-Service for the Public Events Department, based on a low bid, with payment due 30 days from the date of the invoice; and authorize this agreement to begin on October 16, 2001, and expire October 15, 2002, with an option to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9475
Continued for One
Week**

It was the consensus of the City County that Mayor and Council Communication No. P-9475, Purchase of a Utility Aerial Bucket Truck from Southwest International Trucks for the Water Department, be continued for one week.

**P-9476
Structural
Firefighting
Helmets**

There was presented Mayor and Council Communication No. P-9476 from the City Manager recommending that the City Council authorize a purchase agreement with Four Alarm Fire Equipment to provide structural firefighting helmets for the Fire Department based on the low bid meeting specifications with payment due 30 days after receipt of the invoice; and authorize this agreement to begin October 16, 2001, and expire October 15, 2002, with options to renew for two additional one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9477
Continued for One
Week**

It was the consensus of the City Council that Mayor and Council Communication No. P-9477, Authorization of Contracts for Non-Consent Towing of Wrecked or Abandoned Vehicles from Multiple Vendors Required by City Ordinance No. 12924 for the Police Department, be continued for one week.

**L-13167
Surplus Right-of-
Way**

There was presented Mayor and Council Communication No. L-13167 from the City Manager recommending that the City Council approve the sale of surplus right-of-way described as an irregularly-shaped strip of land being 29-feet in width and 140-feet in length out of Lot 1, Block 22, Jennings South Addition, Tarrant County, Texas, to White Box, L.L.C. the adjoining property owner for \$6,372.00; as allowed by the Texas Local Government Code Section 272.001(B)(1), and authorize the City Manager to execute the appropriate deed conveying the property to White Box, L.L.C. and record the deed. It was the consensus of the City Council that the recommendation be adopted.

**L-13168
Redemption of Tax
Foreclosure
Surplus Property**

There was presented Mayor and Council Communication No. L-13168 from the City Manager recommending that the City Council approve the redemption of the tax foreclosure property located at 4511 Wichita Street, described as Lot 9A, Oaklawn Addition, Tarrant County, Texas, as allowed by the Texas Property Code, Section 34.21(B) (DOE 920), to Mr. Larry Peoples, and authorize the City Manager to execute the appropriate deed conveying the property to Mr. Larry Peoples. It was the consensus of the City Council that the recommendation be adopted.

**L-13169
Sale of Tax
Foreclosure
Property**

There was presented Mayor and Council Communication No. L-13169 from the City Manager recommending that the City Council approve the sale of tax foreclosure property described as Lot D, Cowan Subdivision (2229 Bethune Street), to Sweet Home Baptist Church, in accordance with Section 34.015 of the Texas

State Property Tax Code (DOE 920); and authorize the City Manager to execute appropriate deeds, conveying the property to Sweet Home Baptist Church and record the deed. Council Member Moss made a motion, seconded by Council Member Lane, that the recommendation be adopted. The motion carried unanimously.

**PZ-2331
Ord. #14824
Utility and
Roadway
Easement
Vacation
VA-00-042**

There was presented Mayor and Council Communication No. PZ-2331 from the City Manager recommending that the City Council adopt Ordinance No. 14824 vacating a 4-foot wide by variable length roadway easement lying along the east side of Clifton Street, and extending between the alley north of Darcy Street to the alley south of Darcy Street, located in Lot 11R, Blocks 3, 3R and 6, Van Zandt Hillside Addition, along with the attendant public open space easements at Darcy Street, and containing 1,864 square feet of land, and a 5-foot utility easement located in Lot 3R, Block 6, Van Zandt Hillside Addition, Fort Worth, Tarrant County, Texas. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2332
Ord. #14825
Private Access
Easement
Vacation
VA-01-039**

There was presented Mayor and Council Communication No. PZ-2332 from the City Manager recommending that the City Council adopt Ordinance No. 14825 vacating nine 60-foot wide by variable length private access easements located in Lots 16, 17, 25, 26, 27, 28, 31, 32, 45-48, Block 4; and Lots 6, 7, 22, 23, 30, 31, Block 5, Hicks Airfield Addition, Section 3, Tarrant County, Texas. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2333
Ord. #14826
Street Vacation
VA-99-040**

There was presented Mayor and Council Communication No. PZ-2333 from the City Manager recommending that the City Council adopt Ordinance No. 14826 vacating a 60-foot wide by variable length street right-of-way known as Darcy Avenue, lying between Boland Street and Clifton Street, and found in Lot 11R, Block 3, and Lot 3R, Block 6, Van Zandt Hillside Addition, Fort Worth, Tarrant County, Texas and containing approximately 33,000 square feet of land. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2334
Ord. #14827
Street Vacation
VA-99-079**

There was presented Mayor and Council Communication No. PZ-2334 from the City Manager recommending that the City Council adopt Ordinance No. 14827 vacating a 50-foot wide by variable length street known as Sunset Drive, including public open space easements, located between Westridge Avenue and

Milburn Street in the Ridglea Apartments Addition, and a 50-foot wide variable length street, known as Winthrop Avenue, including associated public open space easements, located between Milburn Street and Westridge Avenue in Block A, Ridglea Apartments Addition and Block B, Ridgeway Manors Number 3 Addition, Fort Worth, Tarrant County, Texas. It was the consensus of the City Council that the recommendation be adopted.

**C-18786
Continued for One
Week**

There was presented Mayor and Council Communication No. C-18786, dated October 9, 2001, from the City Manager recommending that the City Council authorize the City Manager to execute contracts with the Keller, Crowley, Eagle Mountain/Saginaw, Northwest, Everman and Fort Worth Independent School Districts to operate the School Security Initiative. Council Member Silcox made a motion, seconded by Council Member Wentworth, that Mayor and Council Communication No. C-18786 be continued for one week. The motion carried unanimously.

**C-18789
Considered After
Executive Session**

There was presented Mayor and Council Communication No. C-18789, dated October 9, 2001, from the City Manager recommending that the City Council authorize the City Manager to execute an agreement with the Fort Worth Housing Authority and the Ripley Arnold Residents' Association regarding the relocation of residents at Ripley Arnold Place and the Ripley Arnold Apartments. Council Member Silcox made a motion, seconded by Council Member Wentworth, that this item be delayed until after Executive Session. The motion carried unanimously.

**C-18790
Ord. #14828
U.S. Equal
Employment
Opportunity
Commission**

There was presented Mayor and Council Communication No. C-18790 from the City Manager recommending that the City Council authorize the City Manager to accept and execute a modification of the Section 706 contract between the U.S. Equal Employment Opportunity Commission and the Fort Worth Human Relations Commission, increasing the contract amount from \$156,400.00 to \$185,400.00; and adopt Ordinance No. 14828 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$29,000.00 from available funds for the purpose of funding an amendment to Section 706 of the contract with the U.S. Equal Employment Opportunity Commission for the deferral of employment discrimination cases to the Fort Worth Human Relations Commission for resolution. It was the consensus of the City Council that the recommendation be adopted.

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| C-18791
Fargo Building
Corporation | There was presented Mayor and Council Communication No. C-18791 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Fargo Building Corporation in the amount of \$29,802.00 for the construction and installation of bicycle racks in downtown Fort Worth (Phase I of the Western Subregion Bicycle Parking Project). It was the consensus of the City Council that the recommendation be adopted. |
| C-18792
Mart, Inc. | There was presented Mayor and Council Communication No. C-18792 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Mart, Inc. in the amount of \$43,800.00 for renovation of the first floor of Old Fire Station No. 10. It was the consensus of the City Council that the recommendation be adopted. |
| C-18793
Tarrant County | There was presented Mayor and Council Communication No. C-18793 from the City Manager recommending that the City Council authorize the City Manager to execute an Interlocal Agreement with Tarrant County to continue to provide disease control services for an amount not to exceed \$170,004.00. It was the consensus of the City Council that the recommendation be adopted. |
| C-18794
Tarrant County | There was presented Mayor and Council Communication No. C-18794 from the City Manager recommending that the City Council authorize the City Manager to execute an Interlocal Agreement with Tarrant County to provide office space and building services at the City's Public Health Center located at 1800 University Drive in the amount of \$247,025.00. It was the consensus of the City Council that the recommendation be adopted. |
| C-18795
Amendment No. 3 -
CSC #24317 – Dan
Dase Insurance
Agency, Inc. | There was presented Mayor and Council Communication No. C-18795 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 3 to City Secretary Contract No. 24317, a lease with Dan Dase Insurance Agency, Inc. for office space at Fort Worth Meacham International Airport. It was the consensus of the City Council that the recommendation be adopted. |

**C-18796
Contract
Extension
Agreement - CSC
#26104 – DFW
Advisors, Ltd.
Company**

There was presented Mayor and Council Communication No. C-18796 from the City Manager recommending that the City Council authorize the City Manager to execute a contract extension agreement for City Secretary Contract No. 26104 with DFW Advisors, Ltd. Company for project management of the noise mitigation program at Fort Worth Meacham International Airport, extending the term of the contract to December 31, 2001; and approve an increase in the payment amount of the contracted \$82,390.50. It was the consensus of the City Council that the recommendation be adopted.

**C-18797
Amendment No. 3
- CSC #24246 –
RJN Group, Inc.**

There was presented Mayor and Council Communication No. C-18797 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 3 to City Secretary Contract No. 24246 with RJN Group, Inc. for Clear Fork parallel relief sanitary sewer, in the amount of \$62,364.00 to provide for additional design and survey services, thereby increasing the contract amount to \$392,617.00. It was the consensus of the City Council that the recommendation be adopted.

**C-18798
Gutierrez,
Smouse, Wilmut &
Associates, Inc.**

There was presented Mayor and Council Communication No. C-18798 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering agreement with Gutierrez, Smouse, Wilmut & Associates, Inc. for a fee not to exceed \$203,411.00, to prepare plans and specifications for water and sewer extension for the Old Denton Road/Golden Triangle Boulevard area (Annexation A-00-19). It was the consensus of the City Council that the recommendation be adopted.

**C-18799
Architectural
Utilities, Inc. D/B/A
AUI General
Contractors**

There was presented Mayor and Council Communication No. C-18799 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with AUI General Contractors in the amount of \$426,244.75 for the construction of four soccer fields and parking lot facilities at Far North Community Park. It was the consensus of the City Council that the recommendation be adopted.

**C-18800
Continued for one
week**

There was presented Mayor and Council Communication No. C-18800 from the City Manager recommending that the City Council authorize the City Manager to execute a Community Facilities Agreement with the National Cowgirl Museum and Hall of Fame, Inc. for the installation of community facilities for certain improvements to the National Cowgirl Museum and Hall of Fame

located at 1700 Gendy Street. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted.

Council Member Davis requested that staff clarify the scope of work to be done by the City as it relates to the storm drainage work for this project and expressed concern if this work would support future redevelopment of this area.

Assistant City Manager Mike Groomer responded that the work affected the overall drainage of the site and allowed for the reconfiguration of the parking areas, Gendy Street, and the parking lot adjacent to the Cowgirl Museum. He added that he would verify what work would be done as it applied to future redevelopment and report back to the Council.

Council Member Wentworth withdrew his motion and Council Member Silcox withdrew his second.

Council Member Davis made a motion, seconded by Council Member Haskin to continue Mayor and Council Communication No. C-18800 for one week. The motion carried unanimously.

**C-18801
Scott
Communities
Developers
Limited
Partnership**

There was presented Mayor and Council Communication No. C-18801 from the City Manager recommending that the City Council approve the Developer's Agreement between the City of Fort Worth and Scott Communities Developers Limited Partnership for Bonds Ranch; and authorize the City Manager or this designee to execute the agreement. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**Public Hearing
Annexation Case
No. AAX-01-1003**

It appeared that the City Council set today as the date for the first public hearing for the annexation of 42.04 acres of land situated in the Charles Tyding Survey, Abstract No. 1276, and the W. Sample Survey, Abstract No. 1207, Denton County, Texas. Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Cathy Davidson, representing the Development Department, appeared before the City Council, presented a staff report and advised Council that staff should be directed to publish notice setting, October 30, 2001 as the second hearing.

Riley Cantrell

Mr. Riley Cantrell, 2300 Sundrop Court, appeared before Council and expressed concern regarding the City continuing to annex additional land and expanding the ETJ.

There being no one else present desiring to be heard in connection with the first public hearing for the annexation of 42.04 acres of land situated in the Charles Tyding Survey, Abstract No. 1276, and the W. Sample Survey, Abstract No. 1207, Denton County, Texas, Council Member Lane made a motion, seconded by Council Member Silcox, that the first public hearing be closed, and that the second public hearing be set for October 30, 2001. The motion carried unanimously.

Council Member Haskin asked staff to provide information to Council on the City's emergency response capability to this area.

AZC-01-1018
Approved/Denied
Without Prejudice

It appeared that the City Council, at its meeting of October 9, 2001, continued the hearing of the application of the City of Fort Worth by Planning Department for a change in zoning of property located at 5208-5216 Pinson Street, 1637 Lidsey Street, 4724 Hampshire Boulevard, and 3712 Forbes Street, from "B" Two-Family to "A-5" One-Family, and 4111 Carey Street, from "I" Light Industrial to "A-5" One-Family, Zoning Docket No. AZC-01-1018. Mayor Barr asked if there was anyone present desiring to be heard:

There being no one else present desiring to be heard in connection with the application of the City of Fort Worth by Planning Department, Council Member Moss made a motion, seconded by Council Member Lane, that the Zoning Hearing be closed and that Zoning Docket No. AZC-01-1018 be approved/denied with the changes as indicated, and that staff be directed to conduct a total rezoning review on city owned property to ensure it was compatible with its use.

Approved: 5208-5216 Pinson Street, from "B" Two-Family to "A-43" One-Family; 1637 Lidsey Street, from "B" Two-Family to "A-10" One-Family; 4724 Hampshire Boulevard, from "B" Two-Family to "A-21" One-Family; and 3712 Forbes Street, from "B" Two-Family to "A-10" One-Family

Denied Without Prejudice: 4111 Carey Street, from "I" Light Industrial to "A-5" One-Family

The motion carried unanimously.

**AZC-01-1035
Approved As
Amended**

It appeared that the City Council, at its meeting of October 9, 2001, continued the hearing of the application of Alexander and Sophia Nason, Henry F. Jenkins, Jr., Unlimited Faith, Inc. by James W. Schell for a change in zoning of property located at 4200-4208 and 4216 E. Lancaster Avenue from "B" Two-Family and "CF" Community Facilities to "E" Neighborhood Commercial, Zoning Docket No. AZC-01-1035. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one else present desiring to be heard in connection with the application of Alexander and Sophia Nason, Henry F. Jenkins, Jr., Unlimited Faith, Inc. by James W. Schell for a change in zoning of property located at 4200-4208 and 4216 E. Lancaster Avenue from "B" Two-Family and "CF" Community Facilities to "E" Neighborhood Commercial, Mayor Pro tempore

McCloud made a motion, seconded by Council Member Davis, that the Zoning Hearing be closed and that Zoning Docket No. AZC-01-1035 be approved by amending the change to reflect "...to "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial except alcohol sales and waiver of site plan recommended". The motion carried unanimously.

It appeared to the City Council that Notice of Public Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896, and that notice of the hearing had been given by publication in the Commercial Recorder, the official newspaper of the City of Fort Worth, on September 26, 2001. Mayor Barr asked if there was anyone present desiring to be heard.

**AZC-01-1046
Approved**

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis that the application of Women's Second Chance for a change in zoning of property located at 708, 710 and 714 Parkdale Avenue from "B" Two-Family to "PD/SU" Planned Development/Specific Use for apartments for transitional housing for women and children, Zoning Docket No. AZC-01-1046, and waiver of site plan recommended, be approved. The motion carried unanimously.

- AZC-01-1048
Approved** Council Member Davis made a motion, seconded by Council Member Lane that the application of Ron Investments, Ltd. for a change in zoning of property located in the 1300 Block of Jones Street from “J” Medium Industrial to “H” Central Business District, Zoning Docket No. AZC-01-1048, be approved. The motion carried unanimously.
- AZC-01-1058
Approved** Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis that the application of Union Gospel Mission for a change in zoning of property located 1305, 1307, 1309, 1315 and 1327 East Lancaster Avenue from “J” Medium Industrial to “CF” Community Facilities, Zoning Docket No. AZC-01-1058, be approved. The motion carried unanimously.
- ASP-01-1016
Approved** Council Member Picht made a motion, seconded by Council Member Haskin that the application of BDC Properties and Construction, site plan for a restaurant at 3450 Sycamore School Road, Site Plan No. ASP-01-1016, be approved. The motion carried unanimously.
- AZC-01-1059
ASP-01-1020
Continued Until
November 13,
2001** Council Member Silcox made a motion, seconded by Council Member Lane that the application of Texas Christian University for a change in zoning of property located 3600 S. Bellaire Drive from “CF” Community Facilities to “PD/SU” Planned Development/Specific Use for all uses in “CF” Community Facilities plus athletic facilities/baseball field, no concerts, and no sale or consumption of alcohol, Zoning Docket No. AZC-01-1059 and Site Plan ASP-01-1020, be continued until November 13, 2001. The motion carried unanimously.
- AZC-01-1020
Approved/Denied** It appeared that the City Council, at its meeting of October 9, 2001, continued the hearing of the application of the City of Fort Worth by Planning Development for a change in zoning of property described below, Zoning Docket No. AZC-01-1020:
- 3504 Avenue I
733 Griggs Avenue
From “B” Two-Family to “A-5” One-Family
- 1055 E. Rosedale Street
From “C” Medium Density Multi-Family to “E” Commercial
- 950 E. Pulaski Street
962 E. Oleander Street
From “B” Two-Family to “A-5” One-Family

**1161 E. Oleander Street
1169 E. Oleander Street
1183 Mansfield Avenue
1409 E. Terrell Avenue
1201 E. Humbolt Street
From "B" Two-Family to "A-5" One-Family**

**2508 S. Riverside Drive
From "I" Light Industrial to "ER" Neighborhood Commercial
Restricted**

**1110 E. Cannon Street
From "B" Two-Family to "A-5" One-Family**

**1004 E. Broadway Avenue
1133 Stella Street
From "C" Medium Density Multi-Family to "A-5" One-Family**

**1304 E. Jessamine Street
From "B" Two-Family to "A-5" One-Family**

**1029 E. Richmond Avenue
1004 E. Baltimore Avenue
From "B" Two-Family to "A-5" One-Family**

Denied:

**203 Brandies Street
From "B" Two-Family to "A-5" One-Family**

Mayor Barr asked if there was anyone present desiring to be heard.

There being no one else present desiring to be heard in connection with the application of the City of Fort Worth by Planning Development for a change in zoning of property described below Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the Zoning Hearing be closed and that Zoning Docket No. AZC-01-1020 be approved/denied with the change to 1055 E. Rosedale Street as indicated:

**3504 Avenue I
733 Griggs Avenue
From "B" Two-Family to "A-5" One-Family**

**1055 E. Rosedale Street
From "C" Medium Density Multi-Family to "ER" Neighborhood
Commercial Restricted**

**950 E. Pulaski Street
962 E. Oleander Street
From "B" Two-Family to "A-5" One-Family**

**1161 E. Oleander Street
1169 E. Oleander Street
1183 Mansfield Avenue
1409 E. Terrell Avenue
1201 E. Humbolt Street
From "B" Two-Family to "A-5" One-Family**

**2508 S. Riverside Drive
From "I" Light Industrial to "ER" Neighborhood Commercial
Restricted**

**1110 E. Cannon Street
From "B" Two-Family to "A-5" One-Family**

**1004 E. Broadway Avenue
1133 Stella Street
From "C" Medium Density Multi-Family to "A-5" One-Family**

**1304 E. Jessamine Street
From "B" Two-Family to "A-5" One-Family**

**1029 E. Richmond Avenue
1004 E. Baltimore Avenue
From "B" Two-Family to "A-5" One-Family**

Denied:

**203 Brandies Street
From "B" Two-Family to "A-5" One-Family**

The motion carried unanimously.

**There being no one else present desiring to be heard in
connection with the recommended changes and amendments to
Zoning Ordinance No. 13896, Mayor Pro tempore McCloud made
a motion, seconded by Council Member Silcox, that the hearing
be closed and that the following ordinance be adopted:**

ORDINANCE NO. 14829

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously.

**Citizen
Presentations**

Mr. Riley Cantrell, 2300 Sundrop Court, appeared before Council to discuss emergencies, metal detectors, biological and chemical terrorist attacks.

Executive Session

It was the consensus of the City Council that they recess into Executive Session at 12:04 p.m. to:

- 1. Seek the advice of its attorneys concerning the following pending or contemplated litigation or other matters that are exempt from public disclosure under Article X, Section 9 of the Texas State Bar Rules:**
 - a) William Fox, Jr. v. City of Fort Worth, Cause No. 00-01-035;**
 - b) Legal issues concerning proposed jail agreement with Tarrant County;**
 - c) Legal issues concerning the Southwest Parkway (S.H. 121);**
 - d) Legal issues concerning any City Council agenda item;**

**as authorized by Section 551.071 of the Texas Government Code;
and**

- 2. Discuss the purchase, sale, lease or value of real property in accordance with Section 551.072 of the Texas Government Code. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party; and**
- 3. Deliberate concerning economic development negotiations as authorized by Section 551.086 of the Texas Government Code; and**
- 4. Deliberate the deployment, or specific occasions for implementation of security personnel or devices, in accordance with Section 551.076 of the Texas Government Code.**

Reconvened

The City Council reconvened into regular session at 1:14 p.m.

**C-18789
Fort Worth
Housing Authority
and Ripley Arnold
Residents'
Association**

There was presented Mayor and Council Communication No. C-18789, dated October 9, 2001, from the City Manager recommending that the City Council authorize the City Manager to execute an agreement with the Fort Worth Housing Authority and the Ripley Arnold Residents' Association regarding the relocation of residents at Ripley Arnold Place and the Ripley Arnold Apartments. Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

Adjournment

There being no further business, the meeting was adjourned at 1:15 p.m.